

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Section 73.622(b))	MM Docket No. 00-125
Table of Allotments,)	RM-9908
Digital Television Broadcast Stations)	
(Miami, Florida))	

To: Chief, Video Services Division

REPLY COMMENTS

NBC Stations Management, Inc. ("NBC"), licensee of WTVJ(TV), Miami, Florida, hereby replies to the comments filed in the above-captioned proceeding by James J. Chladek ("Chladek") and by Paxson Communications Licensee Co., LLC ("Paxson").

NBC has requested, and the FCC has proposed, to substitute DTV Channel 31 for DTV Channel 30 at Miami. As demonstrated by NBC in its Petition for Rulemaking, the channel change will result in an overall reduction in interference to stations WFLX, Channel 29, West Palm Beach, and station WGCU, Channel 30, Fort Myers. It will also permit NBC to employ a site for WTVJ-DT closer to Miami and will reduce our dependency on translator stations, thus improving spectrum efficiency.

Chladek

In his comments, Chladek, licensee of WPMF-LP, Channel 31 in Miami, contends that NBC's Petition for Rulemaking is defective because it "lacks the requisite technical detail necessary to properly evaluate and meaningfully comment on the proposal and . . . fails to offer protection to WPMF-LP's Class A service contours." Chladek's comments appear to be based on NBC's original Petition for Rulemaking and do not reflect the changes set forth in our amendment to that Petition, filed on December 13, 1999, and further reflected in the above-referenced Notice of Proposed Rulemaking. This amendment changed the reference coordinates for the requested Channel 31 DTV operation to specify the WFOR-TV tower where NBC intends to construct the WTVJ-DT facilities. Accordingly, Chladek's concerns relative to technical vagueness are misplaced and of no merit.

With respect to Chladek's comment that NBC's proposal fails to offer protection to WPMF-LP's operation, it is first important to note that at the time NBC filed its

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Petition for Rulemaking – August 7, 1998 – the concept of “Class A” low power service was not even created. Furthermore, at the time NBC amended its pending petition, no low power station had yet been granted Class A status.

In any event, as set forth in the attached Engineering Statement, if the Commission adopts the instant NPRM, it is possible for WPMF-LP to operate on channel 30, essentially swapping channels with WTVJ-DT. Operation of WPMF-LP on Channel 30 would not significantly impact the stated benefits of channel substitution. In addition, NBC is willing to consent to the proposed first adjacent channel operation of WPMF-LP on Channel 30, within the prospective WTVJ-DT, Channel 31 proposed service area, assuming the same facilities currently authorized to WPMF-LP.

Operation of WPMF-LP on Channel 30 will require waivers of the FCC contour protection requirements of Section 74.705 of the FCC Rules with regard to two NTSC stations and possibly one pending application. However, as set forth in the attached Engineering Statement, the Longley-Rice interference analysis demonstrates that an assumed WPMF-LP operation on Channel 30 will not cause predicted interference to these stations.

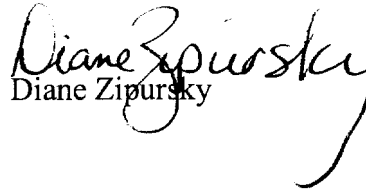
It is important to note that if WTVJ were to retain its current DTV allotment on Channel 30 at its current transmitter site, WTVJ-DT would have weaker signal levels in the urbanized area. Consequently, WTVJ-DT would generally be more susceptible to interference, and as a result, WPMF-LP could be displaced from operating on Channel 31. Adoption of the instant NPRM would, therefore, not only result in the benefits set forth in the NPRM, but would, in addition, provide greater protection to WPMF-LP’s continued operation.

Paxson

In its Comments, Paxson, licensee of WPXM (TV), Miami, reminds the FCC of the settlement agreement between NBC and Paxson that is reflected in the Joint Request for Approval of Global Settlement filed with the Commission on December 16, 1999. The Joint Request proposed the dismissal of Paxson's petition to substitute DTV Channel 31 for its current allotment of DTV Channel 26 and grant of NBC's requested reallocation of DTV Channel 31. In the underlying settlement agreement, Paxson reserved the right to comment on the instant NPRM in the event the FCC had not yet acted on Paxson's request to relocate WPXM-DT's facilities to the Hollywood antenna farm. (See FCC File No. BPCDT-1991010ACC).

NBC is not aware of any technical issues with respect to Paxson's pending modification application, and notes that it has been on file with the FCC for nearly a year. NBC urges the FCC to grant this modification forthwith so that the instant NPRM may be adopted. NBC intends to construct its DTV facilities as soon as possible after grant of its DTV construction permit application.

Respectfully submitted,


Diane Zipursky

Attachment

September 20, 2000

**ENGINEERING EXHIBIT
IN SUPPORT OF REPLY COMMENTS
AMENDMENT OF SECTION 73.622(b),
TABLE OF ALLOTMENTS,
DIGITAL TELEVISION BROADCAST STATIONS
MASS MEDIA DOCKET NUMBER 00-125
STATION WTVJ-DT MIAMI, FLORIDA
NBC STATIONS MANAGEMENT, INC.**

ENGINEERING STATEMENT

INTRODUCTION

The Engineering Exhibit, of which this statement is part, has been prepared on behalf of NBC Stations Management, Inc. (herein NBC), licensee of television (TV) station WTVJ, Miami, Florida, in support of Reply Comments in Mass Media Docket Number 00-125. In MM Docket 00-125, NBC has proposed the substitution of DTV channel 31 for DTV channel 30 at Miami, Florida. The purpose of this filing is to address the comments of James J. Chladek (herein Chladek), licensee of low power television station WPMF-LP, Miami, Florida. WPMF-LP is licensed for operation on channel 31 with a maximum peak visual effective radiated power of 14 kilowatts and antenna radiation center height above mean sea level of 187 meters.

Chladek's comments in the proceeding appear to be based on NBC's original *Petition for Rule Making* and do not reflect changes to the

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Engineering Statement
WTVJ-DT, Miami, Florida

Page 2

petition made pursuant to NBC's amendment and further reflected in the *Notice of Proposed Rule Making* as released by the FCC. The aforementioned amendment changes the reference coordinates for the requested channel 31 DTV operation to specify the WFOR-TV tower where NBC intends to construct the WTVJ-DT facilities. This makes moot any of Chladek's concerns relative to any technical vagueness over the proposed WTVJ-DT operation.

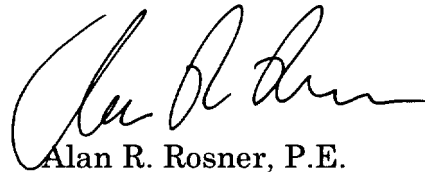
Chladek's others concerns are the protection of the existing WPMF-LP operation. While the continued operation of WPMF-LP on channel 31 is not technically feasible if NBC's petition is granted, it is possible for WPMF-LP to operate on channel 30, essentially swapping channels with WTVJ-DT. A WPMF-LP operation on channel 30 would not significantly impact the stated benefits of the channel substitution, namely a reduction in interference to stations WFLX, channel 29, West Palm Beach and WGCU, channel 30, Fort Myers, both Florida. NBC is willing to consent to the proposed first adjacent channel operation of WPMF-LP on channel 30, within the prospective WTVJ-DT, channel 31, proposed service area assuming the same facilities currently authorized to WPMF-LP.

The operation of WPMF-LP on channel 30 will require waivers of the FCC contour protection requirements of Section 74.705 of the FCC Rules, with regard to stations NTSC stations WGPU, Ft. Myers, WFLX, West Palm Beach, and possibly pending application, FCC File Number BNPET-19960923AAX, Marathon, all Florida. However, the Longley-Rice interference analysis of Figure 1 demonstrates that an assumed WPMF-LP operation on channel 30 will not cause predicted interference to these stations.

Left unchanged, allotment considerations impose geographic restrictions on the existing WTVJ channel 30 DTV allotment which would force NBC to utilize a transmitter site significantly removed from the center of the urbanized Miami Designated Market Area (DMA). Due to the weaker signal levels that WTVJ-DT would have in the urbanized area, WTVJ-DT would be more susceptible to interference. As such, WPMF-LP could be displaced from operating on channel 31.

CONCLUSIONS

The proposed substitution of DTV channel 31 for channel 30 at Miami, Florida, and the modification of the license for WPMF-LP to reflect an operation on channel 30 will serve the public interest by reducing new interference to existing NTSC operations, provide for the near collocated DTV operation of all stations in the Miami, Florida, DMA, and permit the continued operation of low power television station WPMF-LP.



Alan R. Rosner, P.E.

September 19, 2000

**ENGINEERING EXHIBIT
IN SUPPORT OF REPLY COMMENTS
AMENDMENT OF SECTION 73.622(b),
TABLE OF ALLOTMENTS,
DIGITAL TELEVISION BROADCAST STATIONS
MASS MEDIA DOCKET NUMBER 00-125
STATION WTVJ-DT MIAMI, FLORIDA
NBC STATIONS MANAGEMENT, INC.**

Interference Study Assuming WPMF-LP Operation on Channel 30

Analysis of: 30N WGPU FL FORT MYERS		
	POPULATION	AREA (sq km)
within Noise Limited Contour	651221	16321.4
not affected by terrain losses	651221	16321.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to all IX	0	0.0

Analysis of: 31A DWGPU FL FORT MYERS		
HAAT 293.0 m, ATV ERP 50.0 kW		
	POPULATION	AREA (sq km)
within Noise Limited Contour	651221	16321.4
not affected by terrain losses	651221	16321.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to ATV IX only	0	0.0
lost to all IX	0	0.0
percent match ATV/NTSC	100.0	100.0

Analysis of: 29N WFLX FL WEST PALM BEACH		
	POPULATION	AREA (sq km)
within Noise Limited Contour	3869360	24721.3
not affected by terrain losses	3869360	24721.3
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to all IX	0	0.0

Analysis of: 16N WXYZ	FL MARATHON	POPULATION	AREA (sq km)
within Noise Limited Contour		51066	16505.1
not affected by terrain losses		51066	16505.1
lost to NTSC IX		0	0.0
lost to additional IX by ATV		0	0.0
lost to all IX		0	0.0

CERTIFICATE OF SERVICE

I, Martha A. Shiles, do hereby certify that on this 20th day of September, 2000, I caused copies of the foregoing opposition to "Reply Comments" to be served by prepaid, first-class mail on:

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